

State Department continues to include Syria on its list of countries accused of sponsoring terrorism. Israel is asking the United States to focus on Syria's connection to the terrorist attacks. Yesterday, Israel's Prime Minister Shimon Peres asked the United States to make clear to Syria that Israel has had enough of guerrilla attacks.

While Syria has expressed the desire to enter into peaceful negotiations with Israel, terrorist groups such as Hamas, continue to keep their headquarters in Damascus. Syria continues to allow weapons and funds from Iran to be used against Israel. If Syria expects to establish a working relationship with the United States, it must cease involvement with terrorist groups and condemn the Israeli bombings.

Syria is not the only external State whose role in the terrorist attacks we should question. Iran, Iraq, and Libya all play a part in the process of working toward peace and their actions should also be closely examined. The peace process cannot progress with countries throughout the Middle East sponsoring terrorism.

Through the Middle East Peace Facilitation Act [MEPPA], the United States is providing \$500 million over 5 years in assistance to the Palestinians. Americans have the right know what the PLO and Chairman Arafat are doing or not doing to discourage these terrorist activities. We need to know that he is truly committed to peace. He shook hands on the White House lawn 2 years ago pledging his commitment, but now he must prove he is a man of his word. He must root up the terrorism that threatens not only the Israeli people, but innocent victims around the world.

I rise today, Mr. Speaker, not only to condemn the horrific acts of terrorism against Israel, but to urge the administration to send a clear, decisive message to those countries that continue to sponsor terrorism. Their permissive behavior on behalf of the terrorist groups Hamas, Jihad, and others, will not be tolerated.

I'm pleased that chairman GILMAN has scheduled hearings on this issue in the International Relations Committee. Now, more than ever, it is crucial for the United States to stand shoulder to shoulder with Israel as we demonstrate our shared commitment to peace.

#### TRIBUTE TO ARELIS FIGUEROA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 7, 1996*

Mr. TOWNS. Mr. Speaker, I am truly honored to recognize the perseverance of Arelis Figueroa. She has overcome tremendous odds to pursue self-improvement, and in turn has assisted her family members to realize their innate potential.

Arelis migrated to the United States from Puerto Rico at a very early age, along with her five older sisters. Life was not easy for her family, but despite difficulties, she began her odyssey of self-improvement. Her three children, Arelis, Eric, and Nicole have been tremendous sources of inspiration and pride for her. Arelis, the eldest, is the first to receive a 4 year college degree; Eric is a member of the New York City Police Department, and Nicole,

although afflicted with Downs's Syndrome, has distinguished herself in Special Olympic gymnastic events.

Nicole's condition prompted Arelis to learn everything she could about the disease. She decided that learning about the disease and helping others similarly affected would be her calling. As a result, Arelis secured a position with the New York City Board of Education, working with students with special needs at P.S. 72 in Brooklyn.

Through vision, tenacity and a sense of love, Arelis Figueroa has made her world, and the World around her a better place. I am profoundly inspired by her actions and accomplishments, and wish her much success in the future.

#### INTERNATIONAL TRADE AND PATENT AND ROYALTY ENFORCEMENT

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 7, 1996*

Mr. MENENDEZ. Mr. Speaker, in the din of the battle over balancing the budget, reality can be lost in the shouting. If one accepts as an article of faith that it is of utmost importance that the Federal budget must be balanced, then it must follow that the monumental trade deficits must per force of the exact same logic have the same priority.

Upholding the standard of free markets and free trade is not license to do nothing. The price of freedom is not without cost for either personal liberties or economic freedom. It is a constitutional right under the first amendment that our citizens may petition the Government for redress of grievances. It is also a constitutional prerogative under article 1, section 8, clause 8 "To promote the progress of science and useful arts, by securing for limited times to authors and inventors, the exclusive right of their respective writings and discoveries." With this as a backdrop, I would like to explore a problem that a constituent of mine, Salvatore Monte has raised. Mr. Monte's problems involve fundamental questions about the role of our Federal Government in protecting the constitutional rights of our citizens in the context of international trade.

Sal Monte is the president of Kenrich Petrochemical Inc., a family owned business founded after World War II and operating in Bayonne, NJ, since 1961. Sal Monte is an inventor in the proud New Jersey tradition of Thomas Edison and holds numerous patents. Mr. Monte's firm makes organo-metallic compounds. Organo-metallic compounds act as the molecular glue between organic and inorganic materials in the fabrication of complex substances. These chemical compounds are used in everything from rocket fuels, to ammunition, to tires, to cars, to multilayered printed circuit boards, to photocopiers. Mr. Monte's invention is responsible for the durability of videotape and audio tape used in our homes. Some of these chemicals make products biodegradable, others increase electrical conductivity, still others make steel more anticorrosive, plastics stronger, and tires safer. Toy manufacturers use them because they make thermoplastic processing significantly more energy efficient. There is even a national

security concern, since Mr. Monte's chemicals are used to increase the effectiveness and safe handling by our Armed Forces personnel of new generation insensitive ammunition designed to prevent unplanned detonation in Army tanks and aboard Navy ships.

Shortly after his products were introduced in the United States market in 1974, Mr. Monte was approached by officials of Ajinomoto Co. [Ajico] through a trading company named Nitto Shoji, LTD., about licensing his products in Japan. They signed a distributorship agreement on July 30, 1976 to import 46 different patented organometallics manufactured by Kenrich in the United States of America. Nitto Shoji claimed that it was imperative that the products be approved as environmentally safe, and had started the process for the environmental approval of the first Kenrich product to be sold in Japan, Ken-React KR TTS, on July 1, 1976. The KR TTS approval cost Kenrich \$125,000. In accordance with the usual Japanese trade position, Ajinomoto officials impressed upon Mr. Monte the need to have a Japanese manufacturing partner to facilitate the environmental approvals, comply with extraordinarily difficult Japanese quality standards, and gain acceptance by Japanese keiretsu, industrial consumers of the product. Ajinomoto is a \$20 plus billion food processing and fine chemical firm most noted in southeast Asia as the No. 1 producer of MSG—monosodium glutamate. As a result, on January 28, 1980, 15 Kenrich chemicals were licensed for manufacture by the Ajinomoto Co. for exclusive sale in Japan, Taiwan, and South Korea.

For the next 8 years, the Montes were given polite and respectful treatment. By 1984, they had transferred all of Kenrich's technology to Japanese licensing interests. Mr. Monte began to suspect that Ajinomoto was selling vast quantities of the Kenrich licensed product and underreporting sales to avoid paying royalties. Mr. Monte repeatedly requested sales reports, but only received a carefully contrived semi-annual report which diminished in detail with each passing year. There are now over 900 patent applications issued to Japanese companies using the Kenrich products—almost 40 to Canon alone for copier toner, yet the sales are supposedly still under \$1,000,000—even though the yen has doubled in value against the dollar during the contract period. After two decades of doing business in Japan, Kenrich is still receiving only a contract minimum of \$50,000 a year in royalties.

The coordinated assault on Kenrich would sound like paranoid Japan bashing were there not for the painstaking documentation filling dozens of file boxes, indicating the systematic, elaborate, and devious methods employed to deprive Mr. Monte of his intellectual property rights. Among the many efforts against Kenrich include:

The development of knock-off titanate technology based on Kenrich technology by Ajinomoto, Nippon Soda Inc., Tokuyama Soda Ltd., Mitsui Mining and Smelting Ltd., and Kawaken Fine Chemical Co., Ltd. The Japanese have used patent flooding as a technique to obfuscate original patented technology, thus making it difficult for the non-Japanese investor to defend his/her patent rights. Nippon Soda even copied Kenrich's detailed technical literature to explain their Titecoat knock-off product.

An elaborate international exchange of bank securities resulted in the commercial paper of

Kenrich being held by Dai-Ichi Kangyo Bank [DKB]. The DKB through CIT, promptly called in Kenrich's loans to precipitate a bankruptcy and gain control of Kenrich's patents used as collateral against the loan.

Extraordinary measures have been taken by Ajinomoto to stack an arbitration panel as required under the 1952 United States-Japanese Arbitration. Moreover, it will require the case to be argued in Japan where patent laws are highly favorable to knock-off products.

Improper recordkeeping and unauthorized sub-licensing by Ajinomoto for the manufacture of the chemicals to companies, such as Junsei Chemical Co., Ltd., and Kawaken Fine Chemicals Co., Ltd., made it impossible for Arthur Andersen Co. to conduct a proper audit under license agreement to determine royalties due Kenrich. The Andersen audit, initiated in October 1992, took 2 years and cost Kenrich \$63,252. Andersen was stonewalled by Ajinomoto and hence, the audit was unusable.

Ajinomoto withheld knowledge of patents filed by Japanese companies such as Sony Corp., on such products as videotape, prior to the 1980 license agreement with Kenrich. This concealed the extensive value of Kenrich's technology to Japan's high technology industries.

Patents were filed in 1995 by Mitsubishi Rayon for high performance carbon fiber advanced composites used in aerospace that contained one of Kenrich's chemicals not licensed to Ajinomoto. Kenrich had discontinued manufacturing this product 15 years ago. Who supplied the pirated chemical? It wasn't Kenrich.

I do not believe that Mr. Monte's case is unusual. It shows how defenseless American small business is in international trade and how little the Federal Government does to protect fair trade. We should not resent the coordinated actions of the Japanese Government, banks, and industry, but we should learn from them. Predatory practices are actionable under American law and we must require that the rights of American citizens are freely and fairly insured in the arena of international trade. I intend to ask the U.S. Trade Representative and the U.S. International Trade Commission to launch an official investigation of this matter.

#### MOBLEY MOURNS HIS NAVY COMMANDER

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 7, 1996*

Mr. KINGSTON. Mr. Speaker, I submit the following story for the CONGRESSIONAL RECORD. This story ran in the Glennville Sentinel on January 11, 1996.

MOBLEY MOURNS HIS NAVY COMMANDER  
(By Clinton Oliver)

While flags flew at half-mast in honor of Admiral Arleigh Burke, who died last week at 94 in Bethesda Naval Hospital in Maryland, one Glennville resident was particularly saddened by the passing of this distinguished naval officer. Petty Officer Thurman O. Mobley served with Admiral Burke aboard the U.S.S. Charles Ausburne in the South Pacific during World War II and remembers Burke as a courageous, feisty, and some-

times blustery commander who was highly respected by his men. "This ship is built to fight," Burke once barked to the crew of the Ausburne, "you'd better know how."

The U.S.S. Charles Ausburne was built by Consolidated Steel Corporation of Orange, Texas, and was commissioned November 24, 1942. Mobley boarded the Ausburne in Norfolk, Virginia, in April of 1943, and the next month the ship joined the Pacific Fleet, after passing through the Panama Canal, according to Pentagon records. Mobley and his shipmates of the Ausburne were commended by Admiral William "Bull" Halsey, Commander of Allied Naval Forces in the South Pacific; by Admiral Chester W. Nimitz, Commander-in-Chief of the U.S. Pacific Fleet, and by General Douglas MacArthur, Commander of Allied Forces in the Pacific, for action in that theater. They were cited by President Harry S. Truman for action from November 1943 to February 1944.

The Ausburne was Admiral Burk's flagship, and although a number of sailors from Georgia served under Burke on other ships, "I was the only Georgia boy to serve on the same ship with him," Mobley declared. The Ausburne destroyed nine enemy ships and shot down nine aircraft. Mobley and the crew rescued ten survivors of planes forced down at sea and picked up 31 Japanese prisoners from the water, according to Navy records.

Mobley stated that all crew members had two jobs to perform, depending on whether or not the ship was engaged with the enemy—one "combat" job and one "work-a-day" routine job.

Petty Officer Mobley was triggerman on a 20 millimeter artillery piece during combat and a baker at other times. The gun crew had trained by firing at aerial targets on a Pacific island, and once just before an air battle with the Japanese, Mobley was summoned to the bridge of the Ausburne. The officer on the bridge had observed that the Glennville sailor consistently had more hits on aerial targets than any other triggerman. "Mobley," the officer demanded, "we're about to engage the enemy. How do you account for the fact that you have consistently hit more air targets than any triggerman on board?" Mobley quickly recalled his dove-shooting days with a shotgun near Glennville.

"Sir," he retorted, "I keep telling you fellers you're not leading 'em enough." Mr. Mobley was referring to the practice of a hunter aiming slightly ahead of a moving quarry to allow time for the projectile to reach the mark. The officer ordered an appropriate adjustment to the aim-and-fire routine and the change improved the accuracy of the entire crew, Mobley said.

As the ship's baker, Seaman Mobley learned of Admiral Burke's favorite dessert. "About once a month, I baked an apple pie and carried it to his quarters," he said.

After President Eisenhower appointed Admiral Burke Chief of Naval Operations (the top post for a Navy officer), Mobley called his old commander at the Pentagon. "It took me about half a day to get to him," Mobley said, "but they finally put me through." Mobley stated who was calling and congratulated the officer on his high appointment.

"Mobley, Mobley," the admiral mused. "I seem to remember the name, but I can't quite place you."

"I used to be your baker," Mobley informed him.

"APPLE PIE!" the admiral exploded. "You used to bake my apple pies." The two old sailors enjoyed a lengthy visit by telephone. Thereafter, Admiral Burke wrote a short note about once a year to his ex-baker, and always addressed him as "apple pie." The periodic messages ceased about two years ago. Age finally claimed Thurman Mobley's cherished and salty old friend.

During air battles, Japanese pilots routinely held back the last bomb on their aircraft for a suicide dive into allied war ships, slamming into them at about the waterline. "We always made sure we shot down those suicide divers," Mobley said. "We knew if we didn't get them, we were goners for sure." Sometimes downed suicide craft slammed into the ocean so near the Ausburne and with such force that the crash caused a surge of water across the deck that nearly knocked the sailors off their feet, Mobley declared.

At the end of World War II, the U.S.S. Charles Ausburne had steamed a total of 207,000 nautical miles, consumed 10,686,305 gallons of fuel, and visited four continents, and eight ports in the United States. Mobley and his shipmates crossed the International Date Line four times and the equator 16 times. The Ausburne had conducted 32 fueling operations at sea, had gone to General Quarters (complete readiness for battle) 780 times, and had been in three typhoons. Mobley and the Ausburne crew conducted 22 battles against the Japanese Navy in four months.

Petty Officer Thurman O. Mobley was discharged from the U.S. Navy on Thanksgiving Day, 1945. He is retired from the U.S. Postal Service and lives with his wife, Lilla, on Howard Street in Glennville.

#### PERSONAL EXPLANATION

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 7, 1996*

Ms. MCCARTHY. Mr. Speaker, due to official business in my district, I was unable to cast votes on Tuesday March 5, and Wednesday March 6. Had I been here, I would have voted as follows: "Yes" on rollcall vote No. 44—H.R. 2778, to provide tax benefits for U.S. troops in Bosnia; "yes" on rollcall vote No. 45—Approval of the Journal; "yes" on rollcall vote No. 46—H.R. 270, the rule for consideration of H.R. 927; "yes" on rollcall note No. 47—H.R. 927, the conference report on the Cuban Liberty and Democratic Solidarity Act.

#### CONFERENCE REPORT ON H.R. 927, CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY (LIBERTAD) ACT OF 1996

SPEECH OF

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 6, 1996*

Mr. REED. Mr. Speaker, today the House is considering legislation in the wake of the recent attack by the Cuban Air Force on two unarmed civilian aircraft. This outrageous, unprovoked act resulted in the tragic loss of four American lives. I, like most Americans, believe the United States must strongly condemn this act and work to promote a democratic Cuba. Unfortunately, I do not believe that H.R. 927 will accomplish this goal.

This attack clearly illustrates the breakdown of the Cuban Government and the desperation that Fidel Castro faces in trying to hold onto power. The question we must answer is: how best to hasten the end of the Castro regime? Regrettably, the bill before us is not the answer. Isolation has not been successful in